

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

BRADLEY J. SCHAUFENBUEL; et al.,)	
)	
Plaintiffs,)	
)	Case No. 09-CV-1221
v.)	
)	
INVESTFORCLOSURES FINANCIAL, L.L.C.; et al.,)	Judge Leinenweber
)	
)	Magistrate Judge Nolan
)	
Defendants.)	

AMENDED SECOND MOTION FOR TEMPORARY RESTRAINING ORDER

NOW COME Plaintiffs, by and through their attorneys Thurston Law Offices, P.C. and Law Offices of Joel M Weiner, LLC, and pursuant to Fed.R.Civ.P. 65 hereby respectfully move this honorable Court to enter a Temporary Restraining Order against the following Defendants:

- Francis X. Sanchez aka Frank Sanchez
- InvestForClosures Financial, L.L.C.
- ROI Developers
- InvestForClosures
- InvestForClosures.com, LLC
- InvestForClosures Ventures, LLC
- Sands of Gold Escrow
- Sands of Gold
- ROI Financial
- Realty Opportunities International Escrow 23
- ROI Escrow
- Realty Opportunities International S. de R.L. de C.V.

- Realty Opportunities International
- ROI Mexico
- Sands of Gold Estates

(hereinafter referred to as named "Defendants"). Plaintiffs seek to freeze all personal and business assets of the named Defendants¹ and freeze all business activities of the named Defendants, including without limitation all activities relating to the "Sands of Gold Estates" project in Playa Ventura, Mexico. In support of their Motion, Plaintiffs hereby state and allege as follows:

1. Plaintiffs filed their Second Amended Complaint in this matter on April 27, 2009 ("Second Amended Complaint"; Document #58). Among the seventeen counts pleaded, Plaintiffs seek relief under the federal securities laws (Counts I and II) and the Money Laundering Act (Count XVII).

2. Specifically, Plaintiffs seek "any and all relief available, alternatively, under the Securities Act of 1933, 15 U.S.C. §77a *et seq.*, the Securities Exchange Act of 1934, 15 U.S.C. §78a *et seq.*, . . . Money Laundering Act, 18 U.S.C. §1956 *et seq.*, and the other causes of action stated herein so as to provide justice to the Plaintiffs." (Second Amended Complaint, pp. 57-58.)

3. Plaintiffs seek to freeze all personal and business assets of the named Defendants and freeze all business activities of the named Defendants, including without limitation all activities relating to the "Sands of Gold Estates" project in Playa Ventura, Mexico for a short period to determine if preliminary and permanent

¹ Defendant James D. Bourassa filed a Petition for Chapter 7 Bankruptcy in the United States Bankruptcy Court for the Northern District of Illinois, Case No. 09-12873 on April 10, 2009. Defendant James D. Bourassa file a Notice of Bankruptcy in this case on April 14, 2009 (Document No. 50), and as such this Motion for TRO does not name Bourassa as one of the parties sought to be restrained due to the automatic stay imposed by the Bankruptcy Code.

injunctions should issue and/or a Receiver should be appointed for the assets of the named Defendants. Essentially, Plaintiffs seek to freeze the only assets of Defendants that would satisfy a judgment in this case.

4. Under Fed.R.Civ.P. 65, "The court may issue a temporary restraining order without written or oral notice to the adverse party or its attorney only if: (A) specific facts in an affidavit or a verified complaint clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition; and (B) the movant's attorney certifies in writing any efforts made to give notice and the reasons why it should not be required."

5. Plaintiffs filed an Amended Motion for Preliminary Injunction (Document #63) on April 27, 2009 in order to cover all assets that are sought to be restricted by this motion.

6. Plaintiffs incorporate their Statement of Facts and Memorandum of Law in support of this Amended Second Motion for Temporary Restraining Order herein by reference as if set forth in full.

WHEREFORE, for the reasons set forth above and the companion documents filed herewith, Plaintiffs respectfully request that this honorable Court grant the following relief:

- A. Issue a Temporary Restraining Order against the named Defendants herein freezing all personal and business assets of the named Defendants and freeze all business activities of the named Defendants, including without limitation all activities relating to the "Sands of Gold Estates" project in Playa Ventura, Mexico; and

B. All such other and further relief as this honorable Court deems just and equitable.

Respectfully submitted,
PLAINTIFFS' CLASS

By: /s/ Robert C. Thurston
One of Their Attorneys

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